



93

IPW

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q77351

Hideki HATANO, et al.

Allowed: September 22, 2004

Appln. No.: 10/656,879

Group Art Unit: 2872

Confirmation No.: 8083

Examiner: Leonidas BOUTSIKARIS

Filed: September 08, 2003

For: HOLOGRAPHIC RECORDING MEDIUM AND HOLOGRAPHIC RECORDING /
REPRODUCING APPARATUS USING THE SAME

COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Statement of Reasons for Allowance in the Notice of Allowance dated September 22, 2004, the Examiner acknowledges that the references of record do not teach or suggest Applicant's claimed invention. The Examiner then proceeds to provide examples of such novel features of the claimed invention. However, with regard to claims 1-8, the language used by the Examiner in describing these exemplary features is not the same as the language contained in the claims. For example, claims 1, 4 and 5 do not recite "a two-color holographic recording medium comprising a lithium niobate single crystal having substantially stoichiometric composition and doped with only Mn in the range from 1 wt ppm to 100 wt ppm" (emphasis added), as indicated by the Examiner. Instead, independent claims 1, 4 and 5 recite "a lithium niobate single crystal or a lithium tantalate single crystal which has substantially stoichiometric composition and is doped with only Mn in the range from 1 wt ppm to 100 wt ppm" (emphasis added).

Accordingly, Applicant submits that the scope of the claims should be governed by the actual claim language of each individual claim, not based on any paraphrasing and characterization of the claim language.

Respectfully submitted,

Kevin M. Barner
Registration No. 46,075SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: December 6, 2004